

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

v.

Case No.: 19-cr-53-jdp

BRIAN GARBE,

Defendant.

GOVERNMENT'S BRIEF IN OPPOSITION TO DEFENDANT'S
SECOND MOTION FOR ADDITIONAL DISCOVERY

The defendant has filed a motion, asking that his forensic experts be allowed to examine Website M for various reasons. (R. 21, 23). Because this examination cannot lead to any relevant evidence, this motion should be denied.

As it relates to this motion, the search warrant, which was signed on November 18, 2018, explains 1) that records show the defendant visited Website M numerous times between September 2015 and March 2018,¹ and 2) that he purchased files of child pornography three times, the last being October 28, 2016.

Websites are fluid and their content and procedures for access change all the time. What Website M looks like today, to the extent it even still exists, tells us nothing about what it looked like when the defendant accessed it or when the warrant was

¹ While not admitting to the frequency, Garbe admits visiting the site in his affidavit in support of this motion. (R. 24).

